

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PRASHANTH C. SAI RANGA,)
Plaintiff,)
v.) Civil Action No. 2:08cv694-TMH
MICHAEL CHERTOFF, *et al.*,) (WO)
Defendants.)

ORDER

Plaintiff filed this *Bivens* action¹ on August 22, 2008. At the time he filed this complaint, Plaintiff was an immigration civil detainee at the Federal Detention Center in Oakdale, Louisiana. On September 2, 2008 (Doc. No. 7), this court entered an order instructing Plaintiff to provide the clerk's office with the correct address of one of the named defendants on or before September 17, 2008, or the defendant would be dismissed as a party to this suit. On September 11, 2008, the mail containing Plaintiff's copy of the September 2 order was returned to the court marked "returned to sender – refused – unable to forward." It has since come to the court's attention that Plaintiff is no longer at the most recent address he provided to the court.

All parties have an affirmative duty to inform this court of any change of address

¹*Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).

during the pendency of their actions. Plaintiff received notice of this requirement in the court's August 26, 2008, order of procedure. (See Doc. No.3 at p. 5, ¶5(h)).

Upon review of the pleadings filed in the instant matter, it is clear that the court file does not contain an alternate address for Plaintiff and that he has not provided this court with a current address. Accordingly, the court concludes that Plaintiff shall be granted an opportunity to show cause why his complaint should not be dismissed for his failures to comply with the orders of the court and to prosecute this action.

Accordingly, it is

ORDERED that on or before October 15, 2008, Plaintiff shall SHOW CAUSE why his complaint should not be dismissed for his failures to prosecute this action and comply with the order of the undersigned that he keep the court apprised of his current address. Plaintiff is cautioned that his failure to comply with this order will result in a Recommendation that his complaint be dismissed without prejudice.

Done this 7th day of October, 2008.

/s/Wallace Capel, Jr.

WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE